



## *Action Agenda*

Board of Commissioners  
November 12, 2009  
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, November 12, 2009, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Jack Smith, Chairman  
Herb Frady, Vice Chairman  
Lee Hearn  
Robert Horgan  
Eric Maxwell

**Staff Present:**

Jack Krakeel, County Administrator  
Scott Bennett, County Attorney  
Carol Chandler, Executive Assistant  
Floyd L. Jones, Deputy Clerk

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**Call to Order, Invocation, and Pledge of Allegiance.**

Chairman Smith called the November 12, 2009 Board of Commissioners Meeting to order at 7:01 p.m.  
Commissioner Hearn offered the Invocation.  
Chairman Smith led the Audience in the Pledge of Allegiance.

**Acceptance of Agenda.**

Commissioner Horgan moved to Accept the Agenda as published. Commissioner Hearn seconded the motion.

Chairman Smith asked for Consent Agenda Item 5 to be removed from the Consent Agenda and placed under Old Business.

Commissioner Horgan amended his motion to accept the Agenda as published, to remove Item Five from the Consent Agenda, and to split Consent Agenda Item 5 into Old Business B and Old Business C. Commissioner Hearn seconded the revised motion. The motion passed unanimously.

**PUBLIC COMMENT:**

No one spoke under Public Comment.

**CONSENT AGENDA:**

1. **Approval of the Sheriff's Office request to amend the revenue and expenditure budgets for the Administrative Services Division by \$600 to recognize a donation.**
2. **Approval of the Sheriff's Office request to amend the Overtime Budget for the Fayette County Sheriff's Office Criminal Investigations Division by \$2,588.47 for reimbursement for employees assigned to work with various Federal Agencies.**
3. **Approval of staff's recommendation that the County execute a "Right of Entry" which would allow the Georgia Department of Transportation (GDOT) to work within the County's easement along a portion of State Route 74 where GDOT will be moving a section of waterline.**
4. **Consideration of staff's recommendation for approval of the Amendment to the Frequency Reconfiguration Agreement (FRA), which amends and revises the Frequency Reconfiguration Agreement executed on May 9, 2008 between Fayette County and Sprint Nextel.**

Commissioner Frady moved to approve Consent Agenda Items 1-4. Commissioner Horgan seconded the motion. The motion passed unanimously.

**OLD BUSINESS:**

- A. Approval of Board of Commissioners October 7, 2009 Workshop Minutes. This item was tabled during the October 22, 2009 Board of Commissioners Meeting.**

Commissioner Horgan moved to approve the Board of Commissioners October 7, 2009 Workshop Minutes. Commissioner Frady seconded the motion. The motion passed 3-0-2 with Commissioners Hearn and Maxwell abstaining from the vote due to their absence from the October 7, 2009 Meeting.

- B. Approval of the October 22, 2009 Board of Commissioners Minutes.**

Commissioner Horgan moved to approve the October 22, 2009 Board of Commissioners Minutes. Commissioner Hearn seconded the motion. The motion passed 4-0-1 with Commissioner Frady abstaining from the vote due to his absence from the October 22, 2009 Meeting.

- C. Approval of the November 4, 2009 Board of Commissioners Workshop Minutes.**

Commissioner Frady moved to approve the November 4, 2009 Board of Commissioners Workshop Minutes. Commissioner Horgan seconded the motion. The motion passed unanimously.

**NEW BUSINESS:**

- D. Consideration of a resolution approving the issuance of revenue anticipation bonds by the Fayette County Hospital Authority on behalf of Piedmont Healthcare, Inc.**

Commissioner Frady moved to authorize the Chairman to sign the Resolution of the Board of Commissioners of Fayette County, Georgia, Approving the Issuance of Revenue Anticipation Bonds by Hospital Authority of Fayette County for the Benefit of Piedmont Healthcare, Incorporated. Commissioner Horgan seconded the motion. The motion passed unanimously.

**E. Approval of staff's recommendation to award services for Special Purpose Local Option Sales Tax (SPLOST) intersection improvements at Goza and Antioch Roads (Project No. I-13) to Piedmont Paving for the amount of \$540,000.**

Commissioner Hearn moved to approve staff's recommendation to award construction services for intersection improvements at Goza and Antioch Roads, referred to as Project No. I-13, to Piedmont Paving for the amount of \$540,000 utilizing current SPLOST funds. Commissioner Horgan seconded the motion. The motion passed unanimously.

**F. Consideration of a recommendation of the Water Committee for a change order to the existing fencing contract with Trammell-Horton Contracting, Inc. to allow for removal of certain existing fencing at the Danielly-Wagner mitigation site and to construct new fencing to accurately define the property boundaries, at a cost not to exceed \$90,000.**

Commissioner Horgan moved to approve the Water Committee's recommendation for a change order to the existing fencing contract with Trammell-Horton Contracting, Inc. allowing for removal of certain existing fencing at the Danielly-Wagner mitigation site and to construct new fencing accurately defining the property boundaries, at a cost not to exceed \$90,000 to be funded by bonds issued to fund the the Lake McIntosh project. Commissioner Hearn seconded the motion. The motion passed unanimously.

## **ADMINISTRATOR'S REPORT**

There was no Administrator's Report.

## **ATTORNEY'S REPORT**

**DeltaCom, Inc. Agreement for Service:** Commissioner Horgan moved to authorize the Chairman to sign an Agreement for Service with DeltaCom, Inc. for two phone systems located at the Justice Center and the Jail at a cost of \$945.60 per month for three years. Commissioner Hearn seconded the motion. The motion passed unanimously.

**Intersection Improvements at New Hope and Kenwood Roads:** Commissioner Frady moved to authorize the Chairman to sign a contract with B&J Paving, Inc. for improvements to the intersection of New Hope and Kenwood Roads in the amount of \$177,309.15 utilizing current SPLOST funds. Commissioner Horgan seconded the motion. The motion passed unanimously.

**Intersection Improvements at McBride and Antioch Roads:** Commissioner Horgan moved to authorize the Chairman to sign a contract with Southeastern Site Development for improvements to the intersection of McBride and Antioch Roads in the amount of \$301,052.85 utilizing current SPLOST funds. Commissioner Hearn seconded the motion. The motion passed unanimously.

## **STAFF REPORTS**

**Cancellation of the December 2, 2009 Board of Commissioners Workshop Meeting:** Commissioner Frady moved to cancel the December 2, 2009 Board of Commissioners Workshop Meeting due to a lack of agenda items. Commissioner Horgan seconded the motion. The motion passed unanimously.

## **BOARD REPORTS**

There were no Board Reports.

## **EXECUTIVE SESSION**

**Litigation and Personnel:** Commissioner Hearn moved to adjourn into Executive Session to discuss Litigation and Personnel items. Commissioner Horgan seconded the motion. The motion passed unanimously.

The Board adjourned to Executive Session at 7:28 p.m. and returned to Official Session at 8:01 p.m.

**Executive Session Affidavit:** Commissioner Frady moved to authorize the Chairman to sign an Executive Session Affidavit stating Litigation and Personnel items were discussed during Executive Session. Commissioner Horgan seconded the motion. The motion passed unanimously.

## **ADJOURNMENT**

No further business came before the Board. Chairman Smith adjourned the November 12, 2009 Board of Commissioners Meeting at 8:01 p.m. without objection from the Board.

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Floyd L. Jones, Deputy Clerk